

JS 44C/SDNY
REV. 06/01/17

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS
J & J Sports Productions, Inc.DEFENDANTS
Dawn M. Hershko, et al

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

M.L. ZAGER, P.C.
461 Broadway, PO Box 948
Monticello, New York 12701

ATTORNEYS (IF KNOWN)

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

47 USC Sections 553 and 605; Violation of the Telecommunications Statutes Title 47USC 553 and 605

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No ☒ Yes ☐ Judge Previously AssignedIf yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No ☒ Yes ☐

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

| TORTS | | ACTIONS UNDER STATUTES | | | |
|-----------------------|-------------------------------|------------------------------|---|----------------------------------|------------------------------|
| CONTRACT | PERSONAL INJURY | PERSONAL INJURY | FORFEITURE/PENALTY | BANKRUPTCY | OTHER STATUTES |
| [] 110 INSURANCE | [] 310 AIRPLANE | [] 367 HEALTHCARE/ | [] 625 DRUG RELATED | [] 422 APPEAL | [] 375 FALSE CLAIMS |
| [] 120 MARINE | [] 315 AIRPLANE PRODUCT | PHARMACEUTICAL PERSONAL | SEIZURE OF PROPERTY | 28 USC 158 | [] 376 QUI TAM |
| [] 130 MILLER ACT | LIABILITY | [] 365 PERSONAL INJURY | 21 USC 881 | [] 423 WITHDRAWAL | [] 400 STATE |
| [] 140 NEGOTIABLE | [] 320 ASSAULT, LIBEL & | PRODUCT LIABILITY | [] 690 OTHER | 28 USC 157 | REAPPORTIONMENT |
| | SLANDER | [] 368 ASBESTOS PERSONAL | | | [] 410 ANTITRUST |
| [] 150 RECOVERY OF | [] 330 FEDERAL | INJURY PRODUCT | | | [] 430 BANKS & BANKING |
| OVERPAYMENT & | EMPLOYERS' | LIABILITY | PROPERTY RIGHTS | | [] 450 COMMERCE |
| ENFORCEMENT | LIABILITY | | [] 820 COPYRIGHTS | | [] 460 DEPORTATION |
| OF JUDGMENT | [] 340 MARINE | PERSONAL PROPERTY | [] 830 PATENT | | [] 470 RACKETEER INFLU- |
| [] 151 MEDICARE ACT | [] 345 MARINE PRODUCT | | [] 835 PATENT-ABBREVIATED NEW DRUG APPLICATION | | ENCED & CORRUPT |
| [] 152 RECOVERY OF | LIABILITY | [] 370 OTHER FRAUD | [] 840 TRADEMARK | | ORGANIZATION ACT |
| DEFAULTED | [] 350 MOTOR VEHICLE | [] 371 TRUTH IN LENDING | | | (RICO) |
| STUDENT LOANS | [] 355 MOTOR VEHICLE | | | | [] 480 CONSUMER CREDIT |
| (EXCL VETERANS) | PRODUCT LIABILITY | | | | [x] 490 CABLE/SATELLITE TV |
| [] 153 RECOVERY OF | [] 360 OTHER PERSONAL | [] 380 OTHER PERSONAL | LABOR | SOCIAL SECURITY | |
| OVERPAYMENT | INJURY | PROPERTY DAMAGE | [] 710 FAIR LABOR | [] 861 HIA (1395ff) | [] 850 SECURITIES/ |
| OF VETERAN'S | [] 362 PERSONAL INJURY - | [] 385 PROPERTY DAMAGE | STANDARDS ACT | [] 862 BLACK LUNG (923) | COMMODITIES/ |
| BENEFITS | MED MALPRACTICE | PRODUCT LIABILITY | [] 720 LABOR/MGMT | [] 863 DIWC/DIWW (405(g)) | EXCHANGE |
| [] 160 STOCKHOLDERS | | | RELATIONS | [] 864 SSID TITLE XVI | |
| SUITS | | | [] 751 FAMILY MEDICAL | [] 865 RSI (405(g)) | |
| [] 190 OTHER | ACTIONS UNDER STATUTES | PRISONER PETITIONS | [] 740 RAILWAY LABOR ACT | | [] 890 OTHER STATUTORY |
| CONTRACT | CIVIL RIGHTS | [] 463 ALIEN DETAINEE | LEAVE ACT (FMLA) | FEDERAL TAX SUITS | ACTIONS |
| CONTRACT | | [] 510 MOTIONS TO | | [] 870 TAXES (U.S. Plaintiff or | [] 891 AGRICULTURAL ACTS |
| PRODUCT | | VACATE SENTENCE | | Defendant) | |
| LIABILITY | | 28 USC 2255 | | [] 871 IRS-THIRD PARTY | |
| [] 196 FRANCHISE | [] 440 OTHER CIVIL RIGHTS | [] 530 HABEAS CORPUS | [] 790 OTHER LABOR | 26 USC 7609 | [] 893 ENVIRONMENTAL |
| | (Non-Prisoner) | [] 535 DEATH PENALTY | LITIGATION | | MATTERS |
| | | [] 540 MANDAMUS & OTHER | [] 791 EMPL RET INC | | [] 895 FREEDOM OF |
| | | | SECURITY ACT (ERISA) | | INFORMATION ACT |
| REAL PROPERTY | | | IMMIGRATION | | [] 896 ARBITRATION |
| [] 210 LAND | [] 441 VOTING | PRISONER CIVIL RIGHTS | [] 462 NATURALIZATION | | [] 899 ADMINISTRATIVE |
| [] 220 CONDEMNATION | [] 442 EMPLOYMENT | | APPLICATION | | PROCEDURE ACT/REVIEW OR |
| [] 230 FORECLOSURE | [] 443 HOUSING/ | [] 550 CIVIL RIGHTS | [] 465 OTHER IMMIGRATION | | APPEAL OF AGENCY DECISION |
| [] 240 RENT LEASE & | ACCOMMODATIONS | [] 555 PRISON CONDITION | ACTIONS | | |
| [] 245 EJECTMENT | [] 445 AMERICANS WITH | [] 560 CIVIL DETAINEE | | | [] 950 CONSTITUTIONALITY OF |
| [] 240 TORTS TO LAND | DISABILITIES - | CONDITIONS OF CONFINEMENT | | | STATE STATUTES |
| [] 245 TORT PRODUCT | EMPLOYMENT | | | | |
| LIABILITY | [] 446 AMERICANS WITH | | | | |
| [] 290 ALL OTHER | DISABILITIES -OTHER | | | | |
| REAL PROPERTY | [] 448 EDUCATION | | | | |

Check if demanded in complaint:

☐ CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?
IF SO, STATE:

DEMAND \$ 170,000 OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint

JURY DEMAND: ☐ YES ☒ NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN x IN ONE BOX ONLY)

ORIGIN

- ☒ 1 Original Proceeding
 ☐ 2 Removed from State Court
 ☐ 3 Remanded from Appellate Court
 ☐ 4 Reinstated or Reopened
 ☐ 5 Transferred from (Specify District)
 ☐ 6 Multidistrict Litigation (Transferred)
 ☐ 7 Appeal to District Judge from Magistrate Judge
- ☐ a. all parties represented
 ☐ b. At least one party is pro se.
- ☐ 8 Multidistrict Litigation (Direct File)

(PLACE AN x IN ONE BOX ONLY)

BASIS OF JURISDICTION

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

- ☐ 1 U.S. PLAINTIFF
 ☐ 2 U.S. DEFENDANT
 ☒ 3 FEDERAL QUESTION
 ☐ 4 DIVERSITY
- (U.S. NOT A PARTY)

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

| | | | | | |
|--------------------------|-----------------|---|-----------------|---|-----------------|
| CITIZEN OF THIS STATE | PTF [] DEF [] | CITIZEN OR SUBJECT OF A FOREIGN COUNTRY | PTF DEF [] [] | INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE | PTF DEF [] [] |
| CITIZEN OF ANOTHER STATE | [] [] | INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE | [] [] | FOREIGN NATION | [] [] |

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

J & J Sports Productions, Inc., 950 South Bascom Avenue, Suite 3010, San Jose, California 95128

County of Santa Clara

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Dawn M. Hershko, 20 S. Broadway, Nyack NY 10960
 Itzhak Hershko, 20 S. Broadway, Nyack NY 10960
 Brickhouse Food LLC, 20 S. Broadway, Nyack NY 10960
 County of Rockland

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☒ WHITE PLAINS ☐ MANHATTAN

DATE 3/30/18 SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT
☐ NO
☒ YES (DATE ADMITTED Mo. 12 Yr. 1992)
 Attorney Bar Code # rh2254

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)

Clear Form

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